

# BICKLAW<sub>LLP</sub>

*SENT VIA EMAIL & FEDERAL EXPRESS*

February 20, 2019

Kim Muratore  
Case Developer  
U.S. EPA, Region 9  
75 Hawthorne St.  
San Francisco, CA 94105  
*muratore.kim@epa.gov*

RE: CERCLA Section 104(e) Information Request Letter  
Orange County North Basin Study Area, Orange County, California

Dear Ms. Muratore,

This letter, attachment, and exhibits are submitted in response to Loren Henning's letter dated December 14, 2018, requesting information from Robert H. Winters regarding his knowledge of dissolved entities PCA Metal Finishing, Inc., PCA Industries (f/k/a, AFX Wheels, Inc.), and PCA Industries, LLC (f/k/a, Pacific Coast Alloy, LLC), (collectively, the PCA Companies) formerly located at 1726 East Rosslyn Avenue, Fullerton, California (Facility). Our firm represents Mr. Winters, who is responding to EPA's request for information as a former officer of the dissolved PCA Industries, LLC, and not on behalf of the dissolved PCA Companies entities. Thank you for granting Mr. Winters an extension to February 20, 2019 for his response.

Please note that each of the PCA Companies had been dissolved by no later than April 2, 2014, with no remaining assets. Upon dissolution, PCA Industries, LLC's assets were used, in their entirety, to close the site, remove all equipment, and remediate the PCA Industries site. No assets remained to be distributed on the date of dissolution.

As such, there is no entity with financial means to pay EPA's responses or actions or oversight or requests for information on behalf of the PCA Companies. Mr. Winters is an elderly, retired gentleman with limited financial resources to pay costs related to responding to EPA's 104 request. Mr. Winters has personally incurred ongoing costs and legal fees incurred in responding to EPA's 2015 and 2018 requests for information on the PCA Companies. We respectfully request that EPA be aware that Mr. Winters is not personally liable as an individual for contamination arising from or related to the Facility, and he does not have the ability to continue to pay legal fees or other costs associated with the PCA Companies.

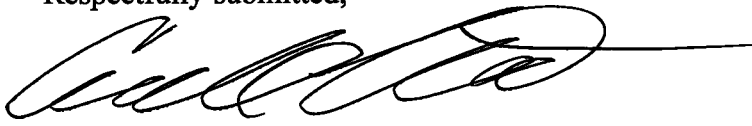
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Enclosed please find Responses to EPA's December 14, 2018 Request for Information and supporting documents. We reserve the right to supplement these responses if we obtain any new information in the future. By submitting this response, Mr. Winters does not admit to any liability and reserves all defenses.

The documents are produced herewith in the enclosed thumb drive and are Bates numbered WINEPA000001 to WINEPA011159.

If you have any questions, please do not hesitate to contact me.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Caroline L. Plant', with a long horizontal line extending to the right.

Caroline L. Plant

Response to CERCLA Section 104(e) Request for Information to Robert H. Winters, Sr.  
Regarding Orange County North Basin Study Area, Orange County, California  
1726 East Rosslyn Avenue, Fullerton, California

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**DECLARATION OF ROBERT H. WINTERS**

I declare under penalty of perjury that I am responding as a former officer of PCA Industries, LLC, a dissolved entity, and that the foregoing is true and correct, to the best of my knowledge at this time.

Executed on February 19, 2019



\_\_\_\_\_  
Signature

Robert H. Winters  
\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Title

Response to CERCLA Section 104(e) Request for Information to Robert H. Winters, Sr.  
Regarding Orange County North Basin Study Area, Orange County, California  
1726 East Rosslyn Avenue, Fullerton, California

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### INTRODUCTORY STATEMENT

Robert H. Winters (“Winters”) provides the following response to U.S. EPA’s CERCLA Section 104(e) Information Request Letter related to the Orange County North Basin Study Area, Orange County, California, dated December 14, 2018 (“Request”). PCA Metal Finishing, Inc., PCA Industries or PCA Industries LLC (collectively, “PCA Companies”) are dissolved entities; therefore, its former officer, Winters, provided the information in this response on behalf of the PCA Companies to the best of his ability. Moreover, as Mr. Winters’ tenure as a PCA officer started in 1990, his knowledge of PCA operations or operations at the Facility prior to that time is limited. PCA Industries exhausted all of its remaining assets when it conducted a complete site remediation and closure at 1726 East Rosslyn Avenue, Fullerton, California (the “Facility”) after PCA Industries ceased operations in 2007 and before it dissolved in 2014. Mr. Winters is not liable as an individual for contamination arising from or related to the Facility. Because the PCA Companies have been out of business for years, all remaining records were in storage. Mr. Winters conducted a diligent search and the following information and supporting documentation is all that he could locate as a result of that search.

### GENERAL OBJECTIONS

Winters objects to this Request to the extent it asks for information that is privileged or contains confidential business information. Winters further objects to the Request to the extent it seeks information and documents already in EPA’s possession or that are equally accessible to EPA. Winters objects that EPA’s information Request contains undefined or improperly defined terms rendering the questions vague, ambiguous, overbroad and unduly burdensome.

Winters objects on the basis that this Request is unduly burdensome to the extent that it requires Winters to provide an exhaustive list of individual documents produced herewith that are responsive to any particular question. Where Winters’ response to any question below identifies particular documents produced herewith, there may be additional documents in the production that are also responsive to the question, in which case the documents identified by Winters may be considered representative.

Winters objects to this Request to the extent it ask for information regarding Orange County Metal Processing, located at 1711 E. Kimberly Avenue, Fullerton, California (the “OCMP Site”). PCA Industries does not currently and has never owned or operate the OCMP Site, nor have any of its predecessors or affiliated businesses, and Winters has never been an officer, director, or employee at the OCMP Site. Winters further objects to the extent the Request seeks information prior to Winters tenure as a PCA Companies officer in 1990.

By providing the responses herein, Winters does not waive, but rather expressly reserves, his right to assert any and all defenses to any potential CERCLA liability at the Facility and OCMF Site. Winters' objections are continuing in nature and apply to each and every response to EPA's Request. In the event additional information is obtained, Winters will provide a supplemental response. Notwithstanding these objections, Winters provides the responses set forth below. In providing these responses PCA Industries does not admit any liability for costs and damages recoverable under CERCLA or under any other law or regulation.


## **RESPONSES**

- 1. State the full legal name, address, telephone number, email address, and position(s) held by any individual answering any of these questions on behalf of PCA Metal Finishing, Inc., PCA Industries (f/k/a, AFX Wheels, Inc.), and PCA Industries, LLC (f/k/a, Pacific Coast Alloy, LLC), (together, "the PCA Companies").***

### **Response to Question No. 1**

Robert H. Winters, Sr.\*  
President, PCA Industries 1990-2007

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\*Mr. Winters only responds to this Request in his capacity as a *former* officer of the dissolved entity PCA Industries, LLC., and cannot respond on behalf of the PCA Companies.

- 2. Identify the dates the PCA Companies, under any of their current or former business structures, owned and/or operated the facility located at 1726 East Rosslyn Avenue, Fullerton, California (the "Facility").***

### **Response to Question No. 2**

Winters previously provided this information to EPA on January 15, 2016 in response to a November 18, 2015 Section 104(e) request for information. See WINEPA001165—1444; 010705—011160 for Winters' prior responses and supporting documents providing the basis for the information below:

Business Name	Present Status	Business Form	Period of Operation	State of Incorporation Formation or Organization	Officers and Directors	Names Under Which Entity Conducted Business
PCA Metal Finishing, Inc. (purchased by AFX Wheels, Inc. on Apr. 30, 1997)	Dissolved on August 13, 2001	Corporation	Approx. April 30, 1997 to August 13, 2001	California	Robert H. Winters and Peter Gilbert*	PCA Metal Finishing, Inc.
AFX Wheels, Inc. (later known as PCA Industries)	Dissolved as PCA Industries on August 14, 2001	Corporation	Approx. April 30, 1997 to August 14, 2001	California	Robert H. Winters and Peter Gilbert	PCA Metal Finishing, Inc., PCA Industries, and PCA Industries, Inc. <sup>1</sup>
PCA Industries (fka AFX Wheels, Inc.)	Dissolved on August 14, 2001	Corporation	Approx. December 31, 1998 to August 14, 2001	California	Robert H. Winters, Peter Gilbert and Anthony Rezzuti	PCA Metal Finishing, Inc., PCA Industries, and PCA Industries, Inc.
Pacific Coast Alloy LLC (organized as PCA Alloy LLC)	Dissolved April 2, 2014	Limited Liability Company	Approx. August 15, 2001 to August 14, 2002	California	Robert H. Winters, Kelly Erskine* and Peter Gilbert	PCA Metal Finishing, Inc. and PCA Industries, LLC
PCA Industries, LLC (aka Pacific Coast Alloy LLC)	Dissolved April 2, 2014	Limited Liability Company	Approx. August 15, 2002 to late 2007	California	Robert H. Winters, Kelly Erskine and Peter Gilbert	PCA Metal Finishing, Inc. and PCA Industries, LLC

Peter Gilbert **PRVY-Controlled/Privacy** and Kelly Erskine **PRVY-Controlled/Privacy** may have additional information regarding the PCA Companies' corporate history.

For additional information, below is a timeline for each entity:

<sup>1</sup> It appears that on several documents, including those obtained from the California Secretary of State, PCA Industries, a California corporation, was identified as PCA Industries, Inc. However, the inclusion of "Inc." on such documents seems to have been in error. While a "PCA Industries, Inc." appears on the Secretary of State website as having been incorporated on July 28, 1986 and as a currently suspended corporation, such corporation is unrelated to PCA Industries, LLC and its related entities at issue here.



PCA Metal Finishing, Inc.:

- On July 28, 1980, PCA Metal Finishing, Inc. filed Articles of Incorporation with the state of California. At that time, PCA Aerospace, Inc. owned PCA Metal Finishing, Inc.
- On April 30, 1997, PCA Aerospace, Inc. sold all shares of PCA Metal Finishing Inc. to AFX Wheels, Inc. in a Stock Purchase Agreement.
- On August 13, 2001, PCA Metal Finishing, Inc. filed a Certificate of Dissolution and all known debts and liabilities were assumed by Pacific Coast Alloy LLC.
- On December 3, 2015, a Certificate of Status was issued for PCA Metal Finishing, Inc. indicating the current status of the company is dissolved.

PCA Industries, a California corporation (formerly AFX Wheels, Inc.):

- On January 31, 1996, AFX Wheels, Inc., filed Articles of Incorporation with the state of California.
- On April 30, 1997, PCA Aerospace, Inc. sold AFX Wheels, Inc. all issued and outstanding shares of capital stock of PCA Metal Finishing, Inc.
- On December 31, 1998, AFX Wheels, Inc. filed a Certificate of Amendment of Articles of Incorporation with the state of California, formally changing its name to PCA Industries, a California corporation.
- On August 14, 2001, PCA Industries, a California corporation, filed a Certificate of Dissolution and Pacific Coast Alloy LLC assumed PCA Industries', a California corporation, known debts and liabilities.
- On December 9, 2015, a Certificate of Status was issued for PCA Industries, a California corporation, indicating the current status of the company is dissolved.

Pacific Coast Alloy LLC (formerly PCA Alloy LLC):

- On December 30, 1997, Pacific Coast Alloy LLC was organized in the state of California as PCA Alloy LLC.
- On March 26, 1998, PCA Alloy LLC filed a Certificate of Amendment with the California Secretary of State, formally changing its name to Pacific Coast Alloy LLC.
- On August 13, 2001, Pacific Coast Alloy LLC assumed all known debts and liabilities upon the dissolution of PCA Metal Finishing, Inc.
- On August 14, 2001, Pacific Coast Alloy LLC assumed all known debts and liabilities upon the dissolution of PCA Industries, a California corporation.
- On August 15, 2002, Pacific Coast Alloy LLC filed a Certificate of Amendment changing its name to PCA Industries, LLC.
- On April 2, 2014, Pacific Coast Alloy LLC filed a Certificate of Cancellation (despite the prior name change to PCA Industries, LLC).
- On December 3, 2015, a Certificate of Status was issued for Pacific Coast Alloy LLC indicating the current status of the company is cancelled.
- The name change to PCA Industries, LLC was never used to file federal or state tax returns. PCA Industries, LLC and Pacific Coast Alloy LLC appear to be the same entity, with the same California Secretary of State File Number 199736410026. The corporate

records for PCA Industries, LLC are included in the files obtained from the California Secretary of State for Pacific Coast Alloy LLC.

Despite the convoluted name changes and corporate history, each entity that previously owned or operated a business at the PCA Industries Site ultimately became subsumed into the entity (PCA Industries, LLC/Pacific Coast Alloy LLC) that dissolved without assets. No PCA Companies entity responsible for the operation of the Facility remains viable at this time.

- 3. *Identify the individuals who are or were responsible for environmental matters at the Facility during its operation at this address. For each individual responsible for environmental matters, provide his/her full name, current or last known address, current or last known telephone number, position titles, and the dates the individual held such positions.***

**Response to Question No. 3**

Winters only has knowledge regarding employees responsible for environmental matters during his tenure as an officer, starting in 1990 and ending at site closure in 2007. See WINEPA004546—004548; 004680—005035; 009446—009449 for environmental documents reflecting the signatures and titles for the following individuals responsible for environmental matters at the Facility during this time period:

Tony Rezzuti  
Vice President / General Manager  
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Armand Amezaga (deceased)  
Plant Manager

Maricio Balderas (likely deceased)  
Manager, Dayshift Foreman

Ray Gottschalk (status unknown)  
Assistant Plant Manager

Mike Hamrock (deceased)  
Signatory on Business Emergency Plan

Tom Moore (status unknown)  
Operations and Environmental Manager

Richard Amezaga  
PRVY-Controlled/Privacy



4. *Identify all current and former employees who have knowledge of the PCA Companies' operations at the Facility that relate to the creation, use, storage, or disposal of PCE, TCE, 1,1,1-TCA, 1,1-DCE, 1,4-dioxane, or perchlorate. This includes individuals whose job functions included operations that utilized or generated these hazardous substances, or who were responsible for storing/filling/disposing of hazardous substances and/or wastes containing the above-identified chemicals. For each individual, provide his/her full name, current or last known address, current or last known telephone number, position title, and the dates the individual held such position.*

**Response to Question No. 4**

Winters does not know of any living, former employees who have such knowledge. There were no PCA Companies' operations at the Facility that related to the creation, use, storage, or disposal of PCE, TCE, 1,1,1-TCA, 1,1-DCE, 1,4-dioxane, or perchlorate from 1990, when Winters became a PCA Companies officer, until site closure in 2007. See WINEPA004546—005033, supporting that the chemicals identified in Question 4 were not utilized during this time period.

5. *Identify all current and former employees who have knowledge of the PCA Companies' operations at the Facility that relate to the physical layout of each operational area of the Facility, who could explain the day-to-day flow of the operations, or who know the location of physical features such as clarifiers, degreasers, and above- and below-ground storage tanks. For each individual, provide his/her full name, current or last known address, current or last known telephone number, position title, and the dates the individual held such position.*

**Response to Question No. 5**

See Response to Question No. 3. See also WINEPA005036—005116, documenting employees who attended a Hazardous Waste & Emergency Response training in 2001.

6. *Explain the PCA Companies' present corporate statuses (e.g., active, suspended, defunct, merged, dissolved) as well as their operational status (e.g., whether and where business operations are currently occurring).*

**Response to Question No. 6**

See Response to Question No. 2.

7. *Provide the date and in which State each of the PCA Companies was incorporated, formed, or organized.*

**Response to Question No. 7**

See Response to Question No. 2.

- 8. *Identify the business structure (e.g., sole proprietorship, general partnership, limited partnership, joint ventures, or corporation) under which each of the PCA Companies exists or operates, and identify each business structure under which they existed or operated while at the Facility location. For each business structure and name under which the PCA Companies have existed or operated at the Facility, provide the corresponding dates that each existed or operated under that business structure and name.***

**Response to Question No. 8**

See Response to Question No. 2.

- 9. *If any of the PCA Companies operated at the Facility as a subsidiary, division, or other business unit, provide this information and identify where it fits into that company's structural organization.***

**Response to Question No. 9**

See Response to Question No. 2.

- 10. *If any of the PCA Companies are now using or have ever used a fictitious business name while operating at the Facility, identify the fictitious names and the owners of each fictitious name.***

**Response to Question No. 10**

See Response to Question No. 2.

- 11. *If any of the PCA Companies sold the Facility property, provide the date on which the Facility property was sold and the person or entity to whom it was sold. To the extent known, indicate whether you understand whether the buyer planned to continue the same of similar business operations at the Facility as that conducted by the PCA Companies. To the extent that you are aware, include any information regarding changes planned by the buyer regarding operations that involve the use, storage, or disposal of PCE, TCE, 1,1,1-TCA, 1,1-DCE, 1,4-dioxane, or perchlorate (e.g., plans to add or dismantle clarifiers, change the types of solvents being used).***

**Response to Question No. 11**

No PCA Companies owned or sold the Facility property.

12. *If the Facility was operated by other parties prior to any of the PCA Companies' operations, identify the prior operators and describe those previous operations to the extent known. Describe any changes made to operations by the PCA Companies after they began operating at the Facility that changed (either increases or decreases) the use or disposal of PCE, TCE, 1,1,1-TCA, 1,1-DCE, 1,4-dioxane, or perchlorate.*

**Response to Question No. 12**

Operations at the Facility have always involved electroplating and metal finishing. See, e.g., WINEPA005145—5146. OCMP operated at the OCMP Site and at the Facility from 1961 to 1971, and was owned and operated by Jack Flatly. In 1971 the Facility at 1726 E. Rosslynn Avenue was split from the OCMP facility and operated as City of Chrome owned by Jack Flatly until 1980. City of Chrome was bought by Howard Lieb in 1980 and operated until 1983.

The OCMP site at 1711 E. Kimberly Avenue was operated as OCMP, NL Industries, and Jonathan Industries from 1971 to 1975, as OCMP from 1975 to 1976 owned by Dick Talmage, and as OCMP from 1976 to present owned by Manual Reynoso.

The PCA Companies ceased use or disposal of PCE, TCE, 1,1,1-TCA, 1,1-DCE, 1,4-dioxane, or perchlorate prior to the 1990 start of Winters' tenure as a PCA Companies officer. See WINEPA004546—005033. See, e.g., WINEPA000013—000015 and 005147—005148 for descriptions of changes and improvements made to PCA during Winters' tenure as a PCA Companies officer.

13. *For any period of time in which any of the PCA Companies owned the Facility under any of their current or former business structures and leased the Facility, provide the name, address, and phone number of any tenants and/or lessees.*

**Response to Question No. 13**

No PCA Companies owned or leased the Facility, 1726 E. Rosslyn Avenue, Fullerton, California.

14. *For any period of time in which any of the PCA Companies under any of their current or former business structures operated at, but did not own, the Facility, provide the name, address, and phone number of the Facility's owner and/or lessor.*

**Response to Question No. 14**

Baker Development Company  
1800 Pacific Ave., Suite 802  
San Francisco CA 94019  
See WINEPA009430

15. *Describe the size of the Facility, the approximate number of people employed by each of the PCA Companies at the Facility, and any products manufactured or services performed at the Facility. Describe any significant change in Facility size, the number of employees, and the products manufactured or services performed over time.*

**Response to Question No. 15**

See, e.g., WINEPA000001-000006; 000013; 000041—000042; 005117—005137 for descriptions and figures depicting size of facility and operations. PCA Companies generally had approximately 100 employees, including those who worked in shipping & receiving, those who worked on the plating lines and in polishing, truck drivers, environmental and operations managers, lab technicians, those who worked on equipment, and those who managed chemicals.

16. *Provide a map of the Facility showing the locations of buildings and significant features on the property at the time that the PCA Companies operated at the Facility. Indicate the locations of any maintenance shops, machine shops, degreasers, clarifiers, plating areas, painting areas, cooling towers, liquid waste tanks, chemical storage tanks, and fuel tanks. Provide a physical description of the Facility and identify the following:*
- Surface structures (e.g. buildings, tanks, containment areas, and storage areas);*
  - Subsurface structures (e.g. underground tanks, sumps, pits, clarifiers);*
  - Storm water drainage system and sanitary sewer system, including septic tanks and subsurface disposal fields;*
  - Any and all additions, demolitions, or changes of any kind to physical structures on, under, or about the Facility or to the property itself (e.g. excavation work) and the dates on which such change occurred; and*
  - The location of all waste storage or waste accumulation areas as well as waste disposal areas (e.g. dumps, leach fields, burn pits).*

**Response to Question No. 16**

For maps, significant features, changes, and location of waste accumulation areas, see, e.g., WINEPA000001—000006; 000009—000053; 005117—005137; 007983.

17. *Indicate on a map of the Facility or in narrative form each location where any of the following chemicals were used, storage, generated, spilled, or disposed of: PCE, TCE, 1,1,1-TCA, 1,1-DCE, 1,4-dioxane, or perchlorate. Describe any manufacturing or treatment processes in which any of these chemicals were used.*

### **Response to Question No. 17**

See WINEPA005188 and 007983 for examples of Facility maps indicating where TCE was stored prior to Winters' tenure. See WINEPA0051292 and 005193, figures showing TCE and PCE sampling results on Facility map, suggesting where TCE and PCE may have been used, stored, generated, or spilled during operations prior to Winters' tenure.

- 18. *Provide copies, both originals and updates, of hazardous material business plans and chemical inventory forms submitted to city, county, and/or state agencies for the Facility.***

### **Response to Question No. 18**

See WINEPA004546-5035.

- 19. *Provide a list of all chemicals and hazardous substances used at the Facility that contained any of the following: PCE, TCE, 1,1,1-TCA, 1,1-DCE, 1,4-dioxane, or perchlorate.***

### **Response to Question No. 19**

The PCA Companies ceased use or disposal of PCE, TCE, 1,1,1-TCA, 1,1-DCE, 1,4-dioxane, or perchlorate prior to the 1990 start of Winters' tenure as a PCA Companies officer. See WINEPA004546—005033, supporting that PCA ceased using the chemicals identified in Question 19 by 1990.

- 20. *For any PCE, TCE, 1,1,1-TCA, 1,1-DCE, 1,4-dioxane, or perchlorate used at or transported to or from the Facility, identify and provide the following information:***
- a. *The trade or brand name, chemical composition, and quantity used for each chemical or hazardous substance;***
  - b. *The locations where each chemical or hazardous substance is or was used, stored, and disposed of;***
  - c. *The kinds of waste (e.g., scrap metal, construction debris, motor oil, solvents, waste water), the quantities of wastes, and the methods of disposal for each chemical, waste, or hazardous substance;***
  - d. *The quantity purchased (in gallons) and the time period during which it was used; and***
  - e. *Copies of Material Safety Data Sheets for all hazardous substances used that contain any of these chemicals.***

### **Response to Question No. 20**

Winters does not have a list of chemicals and hazardous substances used at the facility prior to the commencement of his tenure as a PCA Companies officer in 1990. See WINEPA004546—005033, supporting that the chemicals identified in Question 20 were not utilized by 1990.

- 21. Provide copies of all investigation and sampling reports containing environmental data or technical or analytical information regarding soil, water, and air conditions at the Facility, including, but not limited to, data or information related to soil contamination, soil sampling, soil gas sampling, indoor air sampling, geology, groundwater, surface water, and hydrogeology.**
- a. State whether the information provided present a complete list of all soil, soil gas, indoor air, and groundwater sampling conducted at the Facility. If you are aware of any other investigations or sampling reports for which you do not have a copy, describe the date and type of sampling conducted, and provide information on where EPA might obtain the report and related documents.**
  - b. State whether you are aware of any planned future soil, soil gas, indoor air, or groundwater sampling at the Facility, and if so, please describe.**

**Response to Question No. 21**

See WINEPA 000001—001164; 001445—004545; 005138—008943; 008961—009421; 009226—009272.

Other investigations or sampling reports for which Winters does not have a copy, as well as references to planned future soil, soil gas, indoor air, or groundwater sampling at the Facility may be found on California's Department of Toxic Substances Control Envirostor website for the Facility, found here:

[https://www.envirostor.dtsc.ca.gov/public/profile\\_report?global\\_id=71002360](https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=71002360).

- 22. Identify and provide copies of all agency orders, correspondence, and/or workplans regarding any soil, soil gas, indoor air, and/or groundwater sampling at the Facility that was ordered or agreed to performed, but that was never completed. Explain, to the best of your ability, why the sampling was not conducted.**

**Response to Question No. 22**

See WINEPA008944—009225; 009273—009421.

Certain work performed under a 2007 Corrective Action Consent Agreement between the Department of Toxic Substances Control ("DTSC"), PCA Industries, and Winters (WINEPA 008946—008960) was "deferred" upon direction by DTSC, on the basis that DTSC needed to "gather[] information on the Orange County Metal Processing (OCMP) facility" to address "data gaps" (WINEPA00929). To that point, Winters was in full compliance with the 2007 Corrective Action Consent Agreement. See WINEPA008944—009225; 009273—009421. DTSC never resumed or directed Winters to resume work under the 2007 Corrective Action Consent Agreement.

- 23. *Provide copies of any due diligence reports or property transfer assessments related to the Facility.***

**Response to Question No. 23**

Winters and/or PCA Companies was not involved in any transfer of ownership of the Facility, and Winters has not located any copies of due diligence reports or property transfer assessments related to the Facility.

- 24. *Identify, and provide the following information for, all groundwater wells located at the Facility:***
- a. A map with the specific locations of the groundwater wells;***
  - b. Dates of well construction;***
  - c. Depth to groundwater, depth of well, and depth to and of screened intervals;***
  - d. Uses of each well;***
  - e. Date each well was abandoned, if applicable;***
  - f. Date each well was sampled;***
  - g. All constituents analyzed for during groundwater sampling events; and***
  - h. All groundwater sampling results, reports of findings, and analytical data***

**Response to Question No. 24**

See WINEPA000017—000027; 000042; and throughout 005138—008943 for groundwater well information, data, and sampling records. Additional information regarding location, status, sampling, and analysis of groundwater wells may be found on DTSC's Envirostor website for the Facility, found here:  
[https://www.envirostor.dtsc.ca.gov/public/profile\\_report?global\\_id=71002360](https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=71002360).

- 25. *Provide copies of any applications for permits or permits received for the Facility under any local state, or federal environmental laws and regulations, including any waste discharge permits (e.g. national pollutant discharge elimination system [NPDES] permits).***

**Response to Question No. 25**

Winters has not located permit applications or permits for the Facility in his records. See WINEPA005117-005317 for references to various permits held by the Facility in 2005.

- 26. *For each waste stream generated at the Facility, identify the waste and describe the procedures for (a) collection, (b) storage, (c) treatment, (d) transport, and (e) disposal of the waste stream.***

**Response to Question No. 26**

For discussion of waste stream procedures, see, e.g., WINEPA000001-000006; 005117—005137; 005147—005149; 009422—009427.



- 27. *If the PCA Companies discharged any of their waste streams at the Facility to the sewer, identify all locations where waste streams were discharged and provide copies of all permits and all analyses performed on discharged water.***

**Response to Question No. 27**

See, e.g., WINEPA000014 and 007150 for references to discharges to the sewer. See WINEPA005121, discussing POTW compliance data, discharge permit issuance, and discharge testing. Winters has not located permits for the Facility in his records.

- 28. *Describe the method(s) used by the PCA Companies to remove waste streams from sumps at the Facility.***

**Response to Question No. 28**

For discussion of waste stream procedures, see, e.g., WINEPA000001-000006; 005117—005137; 005147—005149; 009422—009427.

- 29. *Identify all leaks, spills, or other releases into the environment of any hazardous substances or pollutants or contaminants that have occurred at or from the Facility, Identify and provide supporting documents of:***
- a. The date each release occurred;***
  - b. The cause of each release;***
  - c. The amount of each hazardous substance, waste, or pollutant or contaminant released during each release;***
  - d. Where each release occurred and what areas were impacted by the release;***
  - e. Any and all activities undertaken in response to each release, including the notification of any local, state, or federal government agencies about the release.***

**Response to Question No. 29**

See WINEPA 000001—001164; 001445—004545; 005138—008943; 008961—009421; 009226—009272 for references to releases into the environment, including soil and groundwater sampling data indicative of releases. Also see WINEPA005117—005137; 009428—009449 for references to specific releases.

- 30. *Provide copies of any correspondence between any of the PCA Companies and local, state, or federal authorities concerning the use, handling, or disposal of PCE, TCE, 1,1,1-TCA, 1,1-DCE, 1,4-dioxane, or perchlorate at the Facility, including but not limited to any correspondence concerning any of the releases identified in response to the previous question.***

### **Response to Question No. 30**

The PCA Companies ceased use or disposal of PCE, TCE, 1,1,1-TCA, 1,1-DCE, 1,4-dioxane, or perchlorate prior to the 1990 start of Winters' tenure as a PCA Companies officer. See WINEPA004546—005033, supporting that PCA ceased using the chemicals identified in Question 30 by 1990.

31. *Describe the corporate affiliation or relationship (e.g. parent subsidiary, division, predecessor, successor) between each of the three PCA Companies. Also describe the rationale for the organizational structure of the PCA Companies and, to the extent not already explained in the requests above, clarify how the business of each PCA Company differed from the others.*

### **Response to Question No. 31**

See Response to Question No. 2.

32. *Describe the corporate affiliation or relationship between Alloy Wheels, Inc (doing business as AFX Wheels) and any of the PCA Companies. State whether Alloy Wheels, Inc. (doing business as AFX Wheels) owned or operated the Facility and identify the time periods during which it owned or operated the Facility.*

### **Response to Question No. 32**

See Response to Question No. 2.

33. *State whether a company operating under the name of Orange County Metal Processing ever operated at the Facility and if so, provide the dates of its operation and location of its operations at the Facility. To the best of your knowledge, describe the types of operations performed by Orange County Metal Processing and provide any other information you may have about its use, storage or disposal of PCE, TCE, 1,1,1-TCA, 1,1-DCE, 1,4-dioxane, or perchlorate.*

### **Response to Question No. 33**

EPA's November 18, 2015 Request sought information pertaining to the OCMP Site, located at 1711 E. Kimberly Avenue, Fullerton, California. WINEPA010705—011160. For additional information on OCMP, see also WINEPA001445—004545; 009450—010704.

The OCMP Site is separate and distinct and the operations are completely unrelated to the former Facility, located at 1726 Rosslyn Avenue, Fullerton, California. Mr. Winters is not a former officer or director or shareholder or in any way connected to the management of OCMP or the operations at the OCMP Site; therefore, he is not in a position to respond to questions pertaining to the OCMP Site.

OCMP began operating metal finishing operations at 1711 E. Kimberly Avenue and 1726 E. Rosslyn Avenue beginning in 1961. These properties have been owned by the Baker Development Company (or related entities) from at least 1961 to present. In 1961, Colin Baker originally built metal finishing facilities to be operated by OCMP on 1711 E. Kimberly Avenue and 1726 E. Rosslyn Avenue. In 1971 the two properties were split into two separate business operations, with OCMP operating at 1711 E. Kimberly Avenue.

Two separate business entities, OCMP and Orange County Painting Company (OCPC), are owned by Mr. Manuel Reynoso. The address of these businesses is 1711 E. Kimberly Avenue in Fullerton, California. This property along with the property at 1726 E. Rosslyn Avenue (former PCA site) is owned by a family trust. Historically, OCMP operated at both properties and performed metal finishing operations including cadmium, chrome and zinc electroplating, and aluminum anodizing. Metal plating operations at both properties began sometime in the early 1960s and were discontinued at the OCMP facility during, or shortly prior to, 2012. OCPC is currently in operation at the 1711 E. Kimberly Avenue property.

OCPC shares the building occupied by OCMP. OCPC paints and powder coats new unfinished metal products that come from automobile and computer manufacturers. Unfinished metal products to be powder coated are first cleaned with Muriatic Acid to make sure the powder coat adheres to the metal product. After the part is powder coated, the excess powder coating material is collected, and put into an oven at 400 degrees F to form a glasslike substance. The waste products generated by the process are reportedly non-hazardous hazardous and are disposed with regular trash (DTSC Case Summary, Envirostor, August 2015).

At the 1711 E. Kimberly Avenue facility, OCMP received steel or aluminum metal parts for electroplating. The surfaces of the steel parts were cleaned to remove dirt and oils by being placed into the electro cleaning soap tanks at the Zinc Plating Line (ZPL) and then rinsed with water. After coming out of the rinse tank, the steel parts were placed into 11% Muriatic Acid. After the Muriatic Acid tank, the parts were rinsed with water and then put into the Zinc Cyanide Tank. After rinsing, the parts were placed into a chromate solution tank, then a final rinse tank and finally were dried near the ZPL. The Anodizing Line located in the southern portion of the building was used for aluminum parts.

- 34. *State whether you were an owner or officer of a company called City of Chrome, also known as Chrome City Plating, which previously operated at the Facility. Identify the dates that City of Chrome operated at the Facility and describe your affiliation, if any, with that company.***

**Response to Question No. 34**

Winters held the title of President of City of Chrome for seven months in the early 1980s, but was not involved in the day to day operations of the company at the Facility, as his functional duties were that of an offsite salesman. City of Chrome operated at the facility from 1971 until 1983, when James Hart bought the company and it became PCA Metal Finishing, Inc.

**BICKLAW**LLP

520 Newport Center Drive, Suite 750, Newport Beach, CA 92660

Thumb Drive containing documents  
Bates numbered WINEPA000001-WINEPA011159  
in support of February 20, 2019  
Response to CERCLA Section 104(e) Request for  
Information to Robert H. Winters, Sr.  
Regarding Orange County North Basin Study Area,  
Orange County, California  
1726 East Rosslyn Avenue, Fullerton, California